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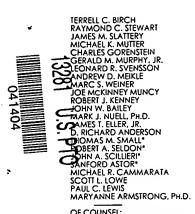
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 $2801 - 0184 \, \text{PUS2}^{\text{-ADMITTED TO A BAR OTHER THAN VA}}$

Date: April 14, 2004

Docket No.:



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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

MS PATENT APPLICATION

Sir:

OF COUNSEL:

This is a Request for filing a continuation of Application No. 10/356,591 filed February 3, 2003, which is continuation of U.S. Application No. 09/570,725 filed on May 15, 2000, which is a continuation of U.S. Application No. 08/829,562 (now U.S. Patent 6,253,762) filed on March 31, 1997, which is a continuation-inpart of Application No. 08/584,859 filed on <u>January 5, 1996</u> (now abandoned), which is a continuation-in-part of Application No. 08/422,111 filed on April 14, 1995 (now abandoned). Application 08/829,562 is also a continuation of PCT International No. Application No. PCT/US96/05006 filed April 10, 1996, designated the United States, which is a continuation-in-part of Application No. 08/584,859 filed on January 5, 1996 abandoned), which is a continuation-in-part of Application No. 08/422,111 filed on April 14, 1995 (now abandoned). The entire contents of each of the above-identified applications are hereby incorporated by reference;

Ian C. ASHURST, Ignatius Loy BRITTO, Craig HERMAN, Li LIby BOVET, and Michael T. RIEBE

PROCESS FOR MANUFACTURING A METERED DOSE INHALER for

- 1. \boxtimes Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
 - The filing fee has been calculated as follows:

•			LARGE ENTITY	SMALL ENTITY
	BASIC FEE		\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	42-20 =	22	x18 = \$396.00	x 9 = \$0.00
INDEPENDENT CLAIMS	3-3 =	0	x86 = \$0.00	x 43 = \$0.00
☐ MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
		TOTAL	\$1166.00	\$0.00

- 3. A check in the amount of \$1166.00 to cover the filing fee and recording fee (if applicable) is enclosed.
- 4. Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
- 5. Enclosed is/are (____) sheet(s) of formal drawings and/or photographs.
- 6a.

 A statement claiming small entity status was filed in prior Application No. _____ on ____. See the attached copy of the statement claiming small entity status.
- 6b.

 The current application qualifies for small entity status.
- 7. \square The prior application is assigned to <u>SmithKline Beecham</u> Corp.
- 8. 🛛 A Preliminary Amendment is enclosed.
- 9a. Priority of Application Nos. 10/356,591; 09/570,725; 08/829,562; 08/584,859; and 08/422,111 filed in the United States on February 3, 2003; May 15, 2000; March 31, 1997; January 5, 1996; and April 14, 1995, respectively, is claimed under 35 U.S.C. § 120.

9b.		Priority of International Appln. PCT/US96/05006 filed on April 10, 1996 under the Patent Cooperation Treaty and U.S. Application No. 08/584,859 filed in the United States on January 5, 1996 under 35 U.S.C. § 119 is hereby reclaimed.
10.	\boxtimes	An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11.	\boxtimes	Address all future communications to:
		BIRCH, STEWART, KOLASCH & BIRCH, LLP P.O. Box 747 Falls Church, VA 22040-0747 (703) 205-8000 or Customer No. 02292
12.		An extension of time for() month(s) untilhas been submitted in parent Application Noin order to establish co-pendency with the present application.
13.		Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By ma a. A Dovo,069)

Gerald M. Murphy, Jr. #28,977

GMM/las 2801-0184PUS2

Attachment(s)

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(Rev. 02/13/2004)